

FILED
APR 26 2018
CLERK U.S. BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
BY: *[Signature]* Deputy Clerk

AFFIDAVIT REPLY TO APPLICATION FOR APPOINTMENT OF ATTORNEY

1 3. I have only the inheritance Property located at 15814 Septo Street, North Hills, California
2 91343 (hereinafter referred to as 'Estate Property') as an asset, however, the same is the
3 estate property that was used for creating the forged Deed of Trust and fraudulent
4 assignments, leaving the Plaintiff with unwarranted financial liability.

5 Therefore, I do not have any assets that are easily convertible to cash. It has been
6 held in Thomas v. Califano, 79 F.R.D. 14, 15 (M.D. Pa. 1978) that, "permission to
7 proceed in forma pauperis can be granted where plaintiff owned home and car but neither
8 asset was readily convertible to cash." I have no assets that are available to be easily
9 convertible to cash.

10 4. I am unable to pay the fees and cost or engage an attorney because I do not have enough
11 source of income to make payments. I get only an amount \$2,765.00 as income in the
12 form of reduced Government retirement pension. My only asset is the estate property
13 which is the subject matter that is involved in this case.

14 I have filed this case against the forged Deed of Trust that was created on the
15 estate property and the subsequent fraudulent transfers that has led me to an unwarranted
16 financial liability amounting to \$390,000 (the debt being recorded on the Estate property
17 based on forged Deed of Trust). I had approached various attorneys with regard to the
18 case but even though they believed there were merits in the case, I could not engage their
19 services to represent the case on my behalf because I do not have the financial means to
20 support the fees that are charged by them.

21 5. I am the Plaintiff in this case and I am filing this case against major financial institutions
22 who have endless amount of resources to defend their case. I am an educated man,
23 however, this being a case involving aspects of forgery, fraud and concealment it is
24 highly necessary that I engage the services of an attorney who can analyze and convey in
25 the right manner the various legal aspects of the case.

26 6. I attest there is no willful delay in challenging the fraud and forgery committed by the
27 Respondents and since I have acted upon prudently in each stage in defending the fraud
28 and forgery in time, the statute of limitations is not applicable against me and the cause of
actions raised by me in each cases.

7. I require the assistance and engagement of an attorney in the instant case because, I am
almost 65 years of age and I have already undergone a lot of stress for almost the past 10
years with regard to the various issues regarding the estate property due to the
aforementioned creation of forged Deed of Trust upon the Estate Property. Similarly, as a
matter of practice, the Court while considering the necessity for a court appointed
attorney looks into various factors such as the party's age, any disabilities or weaknesses
and the possibility that the party's condition might deteriorate if forced to continue as pro
se.

I am a person of almost 65 years and I have been fighting my cause against the
forgery and fraudulent transfers of the Deed of Trust and related documents for over 10
years and the same has caused me various physical and mental ailments such depression
and anxiety problems.

The Litigation against the corporate giants those who are collectively committing
fraud upon helpless individuals, like me and caused severe cardiac problems to me in

1 addition to high blood pressure and incidental complications. I have been under constant
2 medication for cardiac problems arising out of the stress related to this defendant
protracted driven litigation and its financial implications.

- 3 8. In Wiideman v. Harper, 754 F. Supp 808 (D.Nev 1990), the Court has held that while
4 determining whether a person is indigent so as to avail the services of a court appointed
5 attorney the Court must look into the expenses of the party. If the party does not has no
6 money and the court has determined that he has not recently spent money on "luxury"
items, the court must allow the plaintiff to proceed without paying any fees and consider
him an indigent person.

7 I do not spend any amount of money to luxurious items and I only spend money
8 on bare necessities. Also in the case of Roberts v. I-T-E Circuit Breaker Co, 316 F. Supp.
9 133 (D. Minn, 1970) while considering the factors determining indigence, held that it is
10 the duty of the Court go beyond the mere statement of income and inquire into additional
relevant matters including the applicant's earning capacity and ability. I am a man who
will be 65 next year and my ability to earn is highly limited due to the various ailments
that I suffer.

- 11 9. I have only the Estate Property as an asset and the same is the subject matter of this case.
12 I do not have any other assets and all other aspects such as my capability to earn, my age,
13 income etc., support my claim that I am unable to engage an attorney for myself and
therefore require a Court appointed attorney to represent my case.

14 This case is one that involves elements of forgery and tolled concealment fraud
15 and the very nature of the case requires the engagement of an attorney and as held in
Nelson v. Redfield Lithograph Printing, 728 F. 2d 1003 the nature of the litigation must
be considered while appointing of attorney by Court.

16 Also, in Adkins v. E. I. Dupont de Nemours & Co, 335 U.S. 331, 69 S. Ct 85, 93
17 L. Ed 43, 11 A.L.R 2d 599 (1948) the Court held that a person need not be absolutely
destitute to enjoy the benefit of in forma pauperis statute

18
19 Dated: April 26, 2018

Respectfully submitted,

20
21 A notary public or other officer completing this
22 certificate verifies only the identity of the indi-
vidual who signed the document to which this
certificate is attached, and not the truthfulness,
accuracy, or validity of that document.

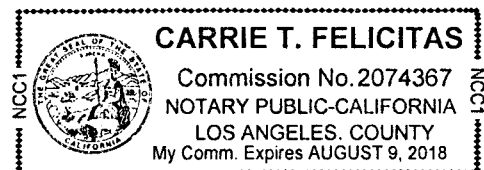
23
24 *Steven Mark Rosenberg*
STEVEN MARK ROSENBERG
Pro per./ pro se

25 State of California, County of LOS ANGELES
26 Subscribed and sworn to (or affirmed) before me on this
27 26 day of APRIL, 2018 by

STEVEN MARK ROSENBERG

28 proved to me on the basis of satisfactory evidence to be
the person(s) who appeared before me.

Signature *C. Felicitas* (seal)



PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

1584 Septa St, LA, CA 91343

A true and correct copy of the foregoing document entitled (specify): AFFIDAVIT REPLY TO
APPLICATION FOR
APPOINTMENT OF ATTORNEY
CALL PARTIES

will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) _____, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☐ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL:**

On (date) 4/26/18, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page
N/A

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Lorena Jaramillo R
Date Printed Name

Lorena Jaramillo R.
Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

ATTACHED SERVICE LIST

MERS Mortgage Electronic Systems, INC

Attn: T. Robert Finlay, Partner cc. Nicole Dunn, Esq.
4665 MacArthur Court, Suite 200
Newport Beach, CA 92660

Ocken Loan Servicing, INC

c/o T. Robert Finlay, Partner cc. Nicole Dunn, Esq.
4665 MacArthur Court, Suite 200
Newport Beach, CA 92660

Amy L. Goldman (TR)
633 W. 5th Street, Suite 4000
Los Angeles, CA 90071
(213) 250-1800
Trustee

Alliance Bancorp, Inc
815 Commerce Dr.
Oak Brook, IL
600523

United States Trustee (SV)
915 Wilshire Blvd., Suite 1850
Los Angeles, CA 90017
(213) 894-6811
U.S. Trustee

Judge Victoria S. Kaufman
U.S. Bankruptcy Court – Central District
(San Fernando Valley)
21041 Burbank Blvd.
Woodland Hills, CA 91367-6603

Deutsche Bank National Trust in
Alliance Bancorp Trust 2007 OA-1
c/o: ROBERT GARRETT of Law Firm of
Garrett & Tully
225 South LAKE, Suite 1400
Pasadena, CA 91101